

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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:  
FRANK BILELLO, individually and on behalf of all :  
others similarly situated, : Via ECF  
:  
Plaintiff, :  
:  
Case No.: 07-CV-7379(RJS)  
:  
vs. :  
:  
JPMORGAN CHASE RETIREMENT PLAN, :  
JPMORGAN CHASE DIRECTOR OF HUMAN :  
RESOURCES, as administrator of the JPMorgan :  
Chase Retirement Plan, :  
Defendants. :  
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**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, Defendants JPMorgan Chase Retirement Plan and JPMorgan Chase Director Human Resources (collectively, "Defendants") will move before the Honorable Richard J. Sullivan, United States District Judge, at Courtroom 21C of the United States District Courthouse, 500 Pearl Street, New York, New York 10007, on a date and at a time designated by the Court, for an order, pursuant to Federal Rules of Civil Procedure 8(a) and 12(b)(6), dismissing with prejudice Plaintiff's Class Action Complaint (a copy of which is attached hereto as Exhibit A).

PLEASE TAKE FURTHER NOTICE, that, pursuant to the schedule adopted at the November 9, 2007 conference in this matter, (1) Plaintiff's Opposition will be filed on or before December 21, 2007, and (2) Defendants' Reply will be filed on or before January 10, 2008.

Dated: New York, New York  
November 16, 2007

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By 

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